

WEBB COUNTY COMMISSIONERS COURT
Official Minutes for the
REGULAR MEETING
OCTOBER 28, 2002
9:00 A.M.

01.02-10-285. CALL TO ORDER BY JUDGE MERCURIO MARTINEZ, JR.

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:30 A.M. at the regular meeting place with the following members present to wit:

Mercurio Martinez Jr.	County Judge
Jerry Vasquez	Commissioner Pct. 1
Judith Gutierrez	Commissioner Pct. 2
Felix Velasquez	Commissioner Pct. 3
Mike Urdiales	Commissioner Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 24th day of October 2002.

Present also were Ms. Alejandra G. Villarreal, Deputy County Clerk representing Mr. Henry Flores, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

INVOCATION - Commissioner Judith Gutierrez

PLEDGE OF ALLEGIANCE - Mr. Eloy Ramirez

02.02-10-286. APPROVAL OF MINUTES

Judge Mercurio Martinez Jr. and Cmr. Judith Gutierrez complimented the Deputy county Clerk on the improvement to the minutes. Cmr. Gutierrez made a motion to approve the minutes as presented and Cmr. Velasquez seconded the motion. All voted “Aye” in favor. Motion carried 5 to 0.

03.02-10-287. COMMUNICATIONS

Three letters from the Division of Emergency Management of the Department of Public Safety were received by Judge Martinez. These letters served to inform on the availability of low interest loans to qualified applicants of Webb County.

The first letter was from the Small Business Administration (SBA) advising that Webb County had been designated eligible to apply for low-interest economic injury disaster loans for small businesses that are dependent on farmers and ranchers.

The second was from the Farm Service Agency of the Secretary of Agriculture advising that Webb County had been designated eligible to apply for low-interest emergency loans due to the fact that Webb County is contiguous to a declared county.

The third was from SBA advising that low-interest economic Injury Disaster Loans were available for businesses affected by severe storms and flooding that occurred June 29 thru July 31, 2002.

Judge Martinez referred to a memo from County Auditor, Leo Flores, reminding all department heads and individuals dealing with any type of expenditures to submit any and all outstanding invoices to be processed on or before October 31, 2002. Failure to comply with this deadline will result in expenditures being charged to the 2002-2003 budget.

Judge Martinez also informed on the number of Fire and EMS runs reported by the City of Laredo for the month of September which totaled twenty-five (25).

Judge Martinez explained that the "Super Freeport" that was adopted by the voters last fall allows for inventory and other certain properties to be tax exempt if they are shipped out of the state or in the state within 270 days.

Cmr. Gutierrez was asked to pick one name from the pool of former members of the 2001 Grand Jury to serve on the Salary Grievance Committee. The name picked was:

Sylvia S. Medrano
1106 O'kane St.
Laredo, Texas 78040

Judge Martinez asked all department heads to please encourage all of their employees to exercise their right to vote. He also reminded the employees that voting is a privilege and a civic duty and that as employees of a governmental entity, we should set the example and vote.

Judge Martinez also congratulated and thanked Cmr. Gutierrez and Ms. Sylvia Palumbo for their aggressive involvement in registering voters.

Cmr. Gutierrez acknowledged and thanked all the members of the media for participating in the effort to increase voter turnout, especially the Laredo Morning Times for taking the lead in spearheading this project and Mr. Bill Green for sponsoring the “YES I WILL VOTE” button. Univision, KGNS, KVTU, and the radio stations that participated in this effort are to be commended for their hard work and dedication to the project she said. Through activities such as lunch plus, and adopt-a – voter the Coalition encourages voters to exercise their right to vote.

Ms. Cynthia Mares, CAA Director introduced Ms. Irma Salazar Center Coordinator for La Azteca Community Center.

Ms. Salazar addressed the Court on behalf of La Azteca, Ladrillera and Mother Cabrini Community Centers to thank and express their appreciation to Cmr. Mike Urdiales for his generous donations to the centers.

Ms. Maria Luisa Diaz, Ms. Oralia Rodriguez, Ms. Adela Vasquez, and Ms. Trinidad Ariola, representing the centers, presented Cmr. Urdiales with hand made thank you cards from each of the centers.

Cmr. Urdiales gave thanks and acknowledged the plight of the elderly. He also reminded the elected officials of their duty to the people who elected them to office and urged honest, fair, and genuinely concerned individuals to get involved and serve their community. Cmr. Urdiales also congratulated Ms. Mares on her dedication and all the work she has done for the people of the “barrios” in improving the community centers.

Judge Martinez congratulated Cmr. Urdiales and Cmr. Vasquez commended Cmr. Urdiales for his generosity and selfless dedication to the community through his many charitable contributions. Judge Martinez also thanked the representatives of the community centers for their participation in the presentation.

Ms. Aliza Oliveros, Head Start Director, addressed the Court to announce that a rally to vote was scheduled for Friday, November 01, 2002 at 5:30 p.m. at the Casa Blanca Ballroom for the Head Start teachers and extended an invitation to all to attend.

Cmr. Velasquez moved to bring up item 06.02-10-290. (e) and Cmr. Gutierrez seconded the motion. All voted “Aye” in favor. (Please see pgs. 10, & 11)

Cmr. Vasquez moved to bring up item 09.02-10-293. (a) and Cmr. Velasquez seconded the motion. All voted “Aye” in favor. (Please see pg. 15)

04.02-10-288. APPROVAL OF BILLS, PAYROLL AND MONTHLY REPORTS

Mr. Jorge Flores, Webb County Treasurer, presented a report of the total of all checks issued in the month of September from all funds for ratification. The report included the actual and projected payrolls for the Court’s approval.

Cmr. Gutierrez moved to approve and ratify the expenditures as presented by Mr. Flores and also motioned the approval of the actual payroll for September 27 and October 25, as well as November 08 and November 22, 2002 as projected.

Cmr. Vasquez seconded the motion with discussion.

All voted “Aye” in favor. Motion carried 4 to 0.

Cmr. Urdiales not being present at the time.

Cmr. Vasquez inquired on a bill that was over a decade old. Mr. Leo Flores, County Auditor, stated that only a portion of the bill was that old and that he had already forwarded a copy to the County Attorney.

Mr. J. Flores also presented the Treasurer's report for the month of September including nine (9) side bills for the Court's approval.

Cmr. Gutierrez made a motion to approve the Treasurer's report including said side bills and Cmr. Vasquez seconded the motion. All voted "Aye" to approve. Motion carried 4 to 0. Cmr. Urdiales not being present at the time.

05.02-10-289. APPROVAL OF RESOLUTION/PROCLAMATIONS

1. Resolutions for "Rural Transportation Program in Support of Increased State/Federal Funding"

Cmr. Gutierrez commented on the importance of the resolution in light of the current cuts to rural transportation and the projected cuts in funding.

Cmr. Gutierrez moved to approve the resolution and Cmr. Vasquez seconded the motion.

All voted "Aye" in favor to approve.

Motion carried 4 to 0. Cmr. Urdiales not present at the time.

Ms. Cynthia Mares, CAA Director, thanked the Court for its support of the resolution and reemphasized its importance.

06.02-10-290. COURT TO DISCUSS AND ACT ON THE FOLLOWING:

a. ECONOMIC DEVELOPMENT DEPARTMENT:

- 1. ACTION TO AUTHORIZE THE SUBMISSION OF CHANGE ORDER #1 FOR CLOSER CONSTRUCTION, INC. TO THE TEXAS COMMUNITY DEVELOPMENT PROGRAM OFFICE OF RURAL COMMUNITY AFFAIRS (ORCA). CHANGE ORDER #1 ENTAILS THE INSTALLATION OF WATER CONNECTIONS TO 11 LOW INCOME HOUSEHOLDS IN COLONIA LOS CORRALITOS. AMOUNT OF CHANGE ORDER IS \$4,675 OR \$425 PRICE PER HOME. THIS WILL BE AT NO COST TO THE COUNTY.**

Cmr. Gutierrez made the motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor to approve. Motion carried 5 to 0.

- 2. ACTION TO SUBMIT HOME APPLICATION TO THE HOME INVESTMENT PARTNERSHIP PROGRAM UNDER CONTRACT - FOR DEED CONVERSION/HOUSING REHABILITATION IN THE AMOUNT OF \$500,000, IN-KIND CONTRIBUTION \$20,000. THIS WILL BE AT NO COST TO THE COUNTY.**

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor to approve. Motion carried 4 to 0. Cmr. Velasquez not being present at the time.

b. PLANNING DEPARTMENT

1. ACTION TO ISSUE “CERTIFICATIONS REGARDING COMPLIANCE WITH PLAT REQUIREMENTS AND THE CONNECTION OF UTILITIES” TO AUTHORIZE UTILITY CONNECTIONS TO THE FOLLOWING PROPERTIES:

Connection(s) qualifying under Section 232.029 (i).

**Tract 64, Ranchitos Los Fresnos Subdivision,
(electricity -one dwelling only).**

**Tract 75, Ranchitos Los Fresnos Subdivision,
(electricity -one dwelling only).**

Connection(s) qualifying under Section 232.029 (c)(i).

**Lot 29, Los Corralitos Subdivision, (electricity - one
dwelling only).**

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted “Aye” in favor to approve. Motion carried 4 to 0. Cmr. Velasquez not being present at the time.

2. ACTION TO RE-NAME RAILSWITCH ROAD (Road adjacent to Tanquecitos South Acres II Subdivision and servicing the Tex-Mex Railroad Switching Yard) TO SERRANO ROAD AS REQUIRED BY TEX-MEX RAILROAD.

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted “Aye” in favor to approve. Motion carried 5 to 0.

c. **COMMUNITY ACTION AGENCY**

1. **ACTION TO FILL SLOT #1160, Center Aide, PART-TIME, AT \$8.25 AN HOUR, EFFECTIVE OCTOBER 28, 2002. (Funding comes from Community Services Block Grant). NO IMPACT ON GENERAL FUND.**

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor to approve. Motion carried 4 to 0. Cmr. Velasquez not being present at the time.

2. **ACTION TO MODIFY SLOT #1153 (Center Coordinator), FROM \$8.88 TO \$9.15 AN HOUR, EFFECTIVE OCTOBER 28, 2002. (Funding comes from Community Services Block Grant). NO IMPACT ON GENERAL FUND.**

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor to approve. Motion carried 4 to 0. Cmr. Velasquez not being present at the time.

3. **ACTION TO SUBMIT APPLICATION TO CITY OF LAREDO FOR A HOMELESS PREVENTION GRANT, IN THE AMOUNT OF \$45,000.00, FOR FY 2003. IN-KIND MATCH IS REQUIRED AND WILL COME FROM SALARIES OF CENTER COORDINATORS, WHO ARE PAID FROM COMMUNITY SERVICES BLOCK GRANT (CSBG).**

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor to approve. Motion carried 4 to 0. Cmr. Velasquez not being present at the time.

d. **WEBB COUNTY HEAD START**

ACTION TO FILL SLOT 1919 (Teacher/AA) WITH A SALARY OF \$21,362.00, EFFECTIVE OCTOBER 29, 2002.

Cmr. Vasquez motioned to approve item as submitted and Cmr. Gutierrez seconded the motion. All voted "Aye" in favor to approve. Motion carried 5 to 0.

e. **J.P. OSCAR O. MARTINEZ**

Justice of the Peace Oscar Martinez began by congratulating Ms. Sylvia Palumbo for all her efforts to register voters and also extended his congratulations and thanked Cmr. Urdiales for his generosity.

1. **ACTION REQUESTING INCREASE IN TRAFFIC FINES.**

J.P. Martinez informed the Court that traffic fines have remained the same since the 80's. That raising the fines by \$15.00 would bring them up to par with some other Texas counties and bring in additional revenues for the County. He suggested that all J.P.'s raise their fines accordingly while reminding the Court that they (J.P.'s) have the authority to set the amount of each fine and that neither he nor the Court could set fees for other J.P.'s. He also asked the Court if they had any suggestions on bringing in additional revenues.

Judge Martinez gave his support to J.P. Martinez and acknowledged the J.P.'s authority to assess fines at their discretion. Therefore, no action needed to be taken by the Court.

2. ACTION REQUESTING ADDITIONAL OFFICE (3) SPACES CURRENTLY OCCUPIED BY CONSTABLES.

J. P. Martinez requested the Court consider granting his office additional office space at their current location. He also explained that his office has experienced considerable growth and will continue to expand in the coming months.

While he understood the need to house Constable Tino Juarez's office at the same location, for security reasons, he urged the Court to consider changing the current office space designation and assign Constable Juarez one (1) office rather than the four (4) his office presently occupies.

Mr. Fausto Sosa, Attorney representing Constable Tino Juarez, asked the Court to deny J. P. Martinez's request and reminded the Court of the need for security at the facility.

After considerable discussion, legal clarification and many different points of view expressed by members of the Court, the executive administrator, the county attorney and other interested parties, the item was moved upon.

Cmr. Vasquez made the motion to grant J.P. Martinez the three (3) office spaces he had requested and allow Constable Juarez to keep one (1) office at this location Cmr. Gutierrez seconded the motion. Judge Martinez called for the question. Cmr. Vasquez, Gutierrez and Velasquez voted "Aye" in favor while Cmr. Urdiales and Judge Martinez chose to abstain. Motion carried 3 to 0 with 2 abstaining.
(Full discussion on audiotape)

**07.02-10-291. COURT TO DISCUSS AND ACT ON THE FOLLOWING
FROM THE COUNTY ENGINEERING DEPARTMENT**

- a. ACTION AUTHORIZING THE UTILITIES
DEPARTMENT FUND 801 TO FILL SLOT #2122,
CUSTODIAN, AT A SALARY OF \$8.60 AN HOUR, AS
APPROVED BY THE 2002-03 BUDGET. THE
CUSTODIAN WILL BE WORKING HALF OF THE
TIME AT UTILITIES DEPARTMENT AND THE OTHER
HALF AT THE EL CENIZO AND RIO BRAVO
COMMUNITY CENTERS.**

Cmr. Gutierrez motioned to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor to approve. Motion carried 5 to 0.

- b. POSSIBLE DISCUSSION REGARDING THE
LANDOWNERS ADJACENT TO THE UNITED GAS
ROAD AND THEIR INTEREST IN SUBMITTING AN
APPLICATION TO WEBB COUNTY, REQUESTING
THAT THE UNITED GAS ROAD BECOME A PRIVATE
ROAD. THIS ROAD IS APPROXIMATELY 2.0 MILES
LONG. IT STARTS AT FM 2050 (NORTH OF BRUNI,
TEXAS), GOES EASTERLY AND ENDS IN DUVAL
COUNTY. DUVAL COUNTY DOES NOT HAVE ANY
COUNTY ROADS CONNECTING TO THIS ROAD.**

County Engineer, Tomas M. Rodriguez, Jr., P. E., and Cmr. Gutierrez met with the effected landowners. Mr. Rodriguez reports that a decision to submit an application by landowners to privatize the United Gas Road was made. After careful review and consideration by both Mr. Rodriguez and Cmr. Gutierrez a motion to approve the landowner's request is recommended by Cmr. Gutierrez. Cmr. Vasquez seconded the motion with all voting "Aye" in favor. Motion carried 5 to 0.

**08.02-10-292. COURT TO DISCUSS AND ACT ON THE FOLLOWING
FROM PURCHASING AGENT**

a. ACTION TO AWARD/REJECT THE FOLLOWING BIDS:

- | | |
|-----------------------|---|
| Bid #2003-01 | One Sport Utility Vehicle for L.E.C. at a cost of \$29,300, funding from the US Dept of Justice Block Grant, Vender Sames Motor Co. |
| Bid #2003-03 | Two Four Door Sedans for L.E.C. at a cost of \$38,000, funding from the US Dept of Justice Block Grant, vender Sames Motor Co. |
| Bid #2003-04 | Three (3) ½ Ton Regular Cab Pick-ups for the Facilities Department at a cost of \$51,300, funding from the 0102 Bond Series, vender Sames Motor Co. |
| Bid #2003-05 | Two ½ Ton Extended Cab Pick-up for Water Utilities (correction engineering Dept.) at a cost of \$38,200 funding from the 0102 Bond Series, vender Sames Motor Co. |
| Bid #2003-06 | One ½ Ton Crew Cab Pick-up Truck for Water Utilities at a cost of \$23,200 funding from the 0102 Bond Series, vender Sames Motor Co. |
| Bid #2003-07 | One, One Ton Crew Cab w/Stake Bed and Lift Gate for the Webb County Self-Help Center at a cost of \$36,100 funding from the Self-Help Center, vender Sames Motor Co. |
| Bid No.2003-09 | One (1) Sport Utility for the Quad City-Mirando, Oilton and Bruni Area Constable's Office at a cost of \$26,010 funding from the 0102 Bond Series, vender Sames Motor Co. also need to include \$8,500 for emergency light, sirens, ext... |

Cmr. Gutierrez motioned to award bids as recommended by Mr. Eloy Ramirez, County Purchasing Agent, and Cmr. Velasquez seconded the motion with discussion. All voted “Aye” in favor. Motion carried 5 to 0.

Mr. Carlos Villarreal, Executive Administrator, informed Cmr. Velasquez that this project was part of the recommendations made during the budget process and that a list of projects will be identified in total at the next Commissioners Court Meeting

- b. ACTION TO PURCHASE ONE (1) 2002 CARGO VAN THROUGH THE HOUSTON GALVESTON AREA COUNCIL BID VE01-05 IN THE AMOUNT OF \$16,548 FOR THE WEBB COUNTY CAA, MEALS ON WHEELS PROGRAM. FUND: #952-4216-8801; BALANCE: \$31,321**

Cmr. Gutierrez motioned to authorize the purchase and Cmr. Vasquez seconded the motion. All voted “Aye” in favor. Motion carried 5 to 0.

- c. ACTION TO OBTAIN THE SERVICES OF BETHANY HOUSE OF LAREDO FOR FOOD SERVICE JUVENILE JUSTICE DEPARTMENT AND FOR THE APPROVAL FOR THE COUNTY JUDGE TO EXECUTE ANY ALL CONTRACT DOCUMENTS.**

Meal Rate:

Breakfast	\$2.50
Lunch	\$2.50
Dinner	\$2.50
Snack	\$1.50

Cmr. Vasquez moved to approve item as submitted and Cmr. Gutierrez seconded the motion. All voted “Aye” in favor. Motion carried 5 to 0.

Mr. Leo Flores, County Auditor, stated that funding for this item would come from the jail’s groceries fund.

09.02-10-293.

COUNTY JUDGE AND COMMISSIONERS

- a. ACTION TO TRANSFER THE SECURITY OF THE JUSTICE CENTER, ADMINISTRATION BUILDING AND THE COURTHOUSE TO THE SHERIFF'S DEPARTMENT. THIS ITEM IS PURSUANT TO LEGAL OPINION OF COUNTY ATTORNEY HOMERO RAMIREZ. (Commissioner Felix Velasquez)**

Cmr. Velasquez expressed his concerns in reference to this item and wanted to go on record stating that he could not continue to support the logistic or the legality of Commissioners Court having its own security department.

After a lengthy discussion between the commissioners, the county attorney, the sheriff representative and the county judge, the item was moved upon by Cmr. Vasquez.

Cmr. Vasquez made the motion to table this item in order to allow Cmr. Velasquez to make a formal presentation to the Board of Judges and come back with the Board's recommendation on this matter. Cmr. Gutierrez seconded the motion with all voting "Aye" in favor. Motion carried 5 to 0.

- b. ACTION TO FILL SLOT 1893 (Clerk) AT \$8.25 AN HOUR. (Department Rio Bravo Community Center)**

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor. Motion carried 4 to 0. Cmr. Urdiales not being present at the time.

Cmr. Gutierrez made a motion to approve items c, d, and e, she subsequently withdrew her motion at the request of Judge Martinez.

- c. **RESOLUTION AUTHORIZING THE ISSUANCE OF “WEBB COUNTY, TEXAS WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2002-A” AND MAKING PROVISIONS FOR THE SECURITY THEREOF; APPROVING THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD, THE ESCROW AGREEMENT, AND THE PAYING AGENT/REGISTRAR AGREEMENT; AND APPROVING OTHER MATTERS RELATING THERETO.**

A motion to differ items c, d, and e was made by Cmr. Gutierrez upon recommendation of the financial adviser Mr. Noe Hinojosa and Legal Council Mr. Paul Martin. Cmr. Vasquez seconded the motion with all voting “Aye” in favor. Motion carried 4 to 0. Cmr. Urdiales not being present at the time.

- d. **RESOLUTION AUTHORIZING THE ISSUANCE OF “WEBB COUNTY, TEXAS WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2002-B” AND MAKING PROVISIONS FOR THE SECURITY THEREOF; APPROVING THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD, THE ESCROW AGREEMENT, AND THE PAYING AGENT/REGISTRAR AGREEMENT; AND APPROVING OTHER MATTERS RELATING THERETO.**

Motion to differ this item was made by Cmr. Gutierrez and Cmr. Vasquez seconded the motion. All voted “Aye” in favor. Motion carried 4 to 0. Cmr. Urdiales not being present at the time.

- e. **RESOLUTION AUTHORIZING THE ISSUANCE OF “WEBB COUNTY, TEXAS WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2002-C” AND MAKING PROVISIONS FOR THE SECURITY THEREOF; APPROVING THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD, THE ESCROW AGREEMENT, AND THE PAYING AGENT/REGISTRAR AGREEMENT; AND APPROVING OTHER MATTERS RELATING.**

Motion to differ this item was made by Cmr. Gutierrez and Cmr. Vasquez seconded the motion. All voted “Aye” in favor. Motion carried 4 to 0 . Cmr. Urdiales not being present at the time.

10.02-10-294. COURT TO DISCUSS AND ACT ON THE FOLLOWING FROM COUNTY ATTORNEY

- a. **ACTION TO EXECUTE THE SECOND FINAL OPTION TO RENEW AN ORIGINAL LEASE WHICH BECAME EFFECTIVE SEPTEMBER 1, 2000, BETWEEN WEBB COUNTY AND THE CITY OF LAREDO FOR OFFICE SPACE FOR THE WEBB COUNTY HEAD START PROGRAM BEING SUITE 21 AT BUILDING S-1 LOCATED AT THE LAREDO INTERNATIONAL AIRPORT, 1718 E. CALTON ROAD, WHICH IS APPROXIMATELY 300 SQUARE FEET WITH THE NEW TERM COMMENCING SEPTEMBER 1, 2002 AND ENDING AUGUST 31, 2003, AT A MONTHLY RENTAL OF THREE HUNDRED AND NINETY-THREE DOLLARS AND TWENTY-NINE CENTS (\$393.29) AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS. [Head Start Program]**

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor. Motion Carried 5 to 0.

- b. ACTION TO EXECUTE THE SECOND AND FINAL OPTION TO RENEW AN ORIGINAL LEASE WHICH BECAME EFFECTIVE OCTOBER 1, 2000, BETWEEN WEBB COUNTY AND THE CITY OF LAREDO FOR OFFICE SPACE FOR THE WEBB COUNTY HEAD START PROGRAM BEING SUITE 11 AT BUILDING S-1 LOCATED AT THE LAREDO INTERNATIONAL AIRPORT, 1718 E. CALTON RD., WHICH IS APPROXIMATELY 1,992 SQUARE FEET WITH THE NEW AND FINAL TERM COMMENCING OCTOBER 1, 2002, AND ENDING ON SEPTEMBER 30, 2003, AT A MONTHLY RENTAL FEE OF TWO THOUSAND THREE-HUNDRED THIRTY-EIGHT DOLLARS AND FORTY-NINE CENTS (\$2,338.49) AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS.[Requested by Head Start Program]**

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor. Motion Carried 5 to 0.

- c. ACTION TO ENTER INTO A LEASE AMENDMENT AND ALSO TO EXECUTE THE FINAL OPTION TO RENEW THE ORIGINAL LEASE WHICH BECAME EFFECTIVE MAY 1, 2001, BETWEEN WEBB COUNTY, FOR THE HEAD START PROGRAM, AND THE CITY OF LAREDO WHICH LEASED APPROXIMATELY 4,378 SQUARE FEET OF OFFICE SPACE CONSTITUTING BUILDING NO. 1228 AND 1229 (FLOYD CENTER) LOCATED AT 4704 NARANJO STREET AT THE LAREDO INTERNATIONAL**

AIRPORT. THE CONTRACT AMENDMENT DELETES BUILDING NO. 1229 FROM THE LEASE EFFECTIVELY REDUCING THE LEASE SPACE TO APPROXIMATELY 2,378 SQUARE FEET AND ALSO REDUCING THE RENTAL OBLIGATION FROM \$1,776.00 TO ONE-THOUSAND ONE-HUNDRED DOLLARS (\$1,100.00). THE LEASE OPTION IS FOR ONE YEAR BEGINNING MAY 2002 AND ENDING ON APRIL 30, 2003, AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS. [Requested by Head Start Program]

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor. Motion Carried 5 to 0.

- d. ACTION TO ENTER INTO A NON-FINANCIAL COOPERATIVE AGREEMENT BETWEEN WEBB COUNTY FOR THE HEAD START PROGRAM AND LAREDO COMMUNITY COLLEGE THROUGH THE L.C.C. CHILD DEVELOPMENT PROGRAM TO PROVIDE FIELDWORK/CLINIC EXPERIENCE FOR CHILD DEVELOPMENT LAB STUDENTS AT HEAD START CENTERS FOR A PERIOD OF THREE YEARS COMMENCING ON SEPTEMBER 1, 2002 AND ENDING ON AUGUST 31, 2005, AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS. [Requested by Head Start Program]**

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor. Motion Carried 5 to 0.

e. ACTION TO ENTER INTO THIRD PARTY AGREEMENTS AS FOLLOWS:

Funding pursuant to Hotel Motel Tax Occupancy Revenue

WEBB CO HISTORICAL COMMISSION	\$ 5,000
LAREDO CHAMBER OF COMMERCE	\$150,000
HOTEL MOTEL ASSOCIATION	\$ 5,000
LAREDO PHILHARMONIC CHORALE	\$ 6,000
WASHINGTON BIRTHDAY CELEBRATION	\$ 5,000
BORDER OLYMPICS	\$ 10,000
SOCIETY OF MARTHA WASHINGTON	\$ 5,000
MARINE ROTC	\$ 5,000

Funding pursuant to General Fund Revenue

SACRED HEART CHILDREN'S HOME	\$ 15,000
TEXAS STATE GUARD	\$ 3,000
AMERICAN RED CROSS	\$ 7,500
LIFELINE	\$ 5,000
LAREDO REGIONAL FOOD BANK	\$ 10,000
SPANISH TRADITIONAL GROUP	\$ 4,500
LITERACY VOLUNTEERS OF AMERICA	\$ 1,500
CHILD WELFARE BOARD	\$ 4,000
LAREDO VETERANS	\$ 50,000

AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS.

Chief Deputy Auditor, Rafael Perez, addressed the Court to clarify that the funding for the Child Welfare Board will come from the General fund.

Upon recommendation of Legal Council Cmr. Gutierrez made a motion to approve item (e) with the exception of the Child Welfare Board item, which is to be funded not at \$4,000 but at \$25,000 from fund 4102 and that already is part of the existing budget. Cmr. Vasquez seconded the motion with all voting "Aye" in favor. Motion carried 5 to 0.

- f. ACTION TO ADOPT AN ORDER AMENDING THE ANNUALLY DETERMINED CONTRIBUTION RATE PLAN PURSUANT TO CHAPTER 844, SUBCHAPTER H, OF THE TEXAS GOVERNMENT CODE WHICH WAS APPROVED BY THIS COURT ON JUNE 10, 2002, WHEREIN WEBB COUNTY (1) INCREASED ITS RETIREMENT CONTRIBUTION RATE TO THE TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM FROM 5% TO 6%, (2) INCREASED ITS CURRENT MATCHING SERVICE CREDIT FROM \$2.20 TO \$2.25, AND (3) ADOPTED THE OPTIONAL BENEFIT ELIGIBILITY PLAN FOUR (20-YEAR/ANY AGE RETIREMENT ELIGIBILITY) RETIREMENT PLAN. THE EFFECTIVE DATE OF THE ORDER IS JANUARY 1, 2003. (Webb County Treasurer).**

Cmr. Gutierrez thanked all members of the retirement Committee, which includes Cmr. Urdiales, Committee Chair, Ms. Janie Puente, Mr. Homero Ramirez, Mr. Nathan Bratton, Mr. Carlos Villarreal, Mr. Jorge Flores and Mr. Leo Flores for the excellent work and motioned to approve the item as submitted. Cmr. Vasquez seconded the motion with all voting “Aye” in favor. Motion carried 5 to 0.

- g. ACTION TO ENTER INTO AN EQUIPMENT AND MAINTENANCE LEASE AGREEMENT WITH XEROX CORPORATION FOR A DOCU-COLOR 1632 COPIER AND ACCESSORIES TO BE LOCATED AT THE WEBB COUNTY’S MIS OFFICE FOR A FORTY-EIGHT MONTH (11/01/02 THROUGH 10/21/2006) LEASE IN THE AMOUNT OF FOUR HUNDRED AND FIVE DOLLARS AND SIXTY-SIX CENTS (405.66) PER MONTH AND AUTHORIZING THE WEBB COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS.**

[Requested by MIS, funds available in MIS Department account #001-0500-6402]

Cmr. Gutierrez made a motion to approve item as submitted and Cmr. Vasquez seconded the motion. All voted "Aye" in favor. Motion carried 5 to 0.

- h. ACTION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH LAREDO HEALTH CARE ASSOCIATES, INC. FOR A ONE YEAR PERIOD BEGINNING OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 FOR "TB TESTING" OF INMATES LOCATED AT THE WEBB COUNTY LAW ENFORCEMENT CENTER AT AN ANNUAL COST OF \$85,000 AND ORDERING AN EXEMPTION FROM SECTION 262.023 LOCAL GOVERNMENT CODE (Competitive Bidding Requirements) AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS. [Requested by the Sheriff's Department]**

Judge Martinez asked Cmr. Gutierrez to read this item for a possible conflict of interest on his part and said he would not deliberate or get involved in this item.

Cmrs. Urdiales and Velasquez questioned two aspects of this item. The first being why competitive bidding is not required and the second being how or who decides what provider to contact.

Mr. Homero Ramirez explained that for legal reasons professional service agreements and personal services are prohibited from competitive bidding and that in this case the Sheriff's office made the contact.
(Full discussion on audiotape)

Cmr. Vasquez made a motion to approve this item as submitted and Cmr. Gutierrez seconded the motion. All voted "Aye" in favor. Motion carried 3 to 0 with Cmr. Urdiales abstaining and Judge Martinez not voting.

- i. **ACTION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DR. HECTOR LOPEZ, D.D.S. FOR INMATE DENTAL CARE AT THE WEBB COUNTY LAW ENFORCEMENT CENTER FOR A ONE YEAR PERIOD, BEGINNING OCTOBER 1, 2002, AT A MONTHLY COST OF ONE THOUSAND EIGHT HUNDRED DOLLARS (1,800.00) AND ORDERING AN EXEMPTION FROM SECTION 262.023 LOCAL GOVERNMENT CODE (Competitive Bidding and Competitive Proposal Requirements) AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS. [Requested by the Sheriff's Department]**

Cmr. Vasquez made a motion to approve item as submitted and Cmr. Gutierrez seconded the motion. All voted "Aye" in favor. Motion carried 5 to 0.

- j. **ACTION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DR. ARTURO G. GARZA-GONGORA, M.D. FOR INMATE MEDICAL SERVICES AT THE WEBB COUNTY LAW ENFORCEMENT CENTER FOR A TWO YEAR PERIOD, BEGINNING OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2004, AT A MONTHLY COST OF SEVEN THOUSAND EIGHTY-THREE DOLLARS AND THIRTY-THREE CENTS (7,083.33) AND ORDERING AN EXEMPTION FROM SECTION 262.023 LOCAL GOVERNMENT CODE (Competitive Bidding and Competitive Proposal Requirements) AND**

AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS. [Requested by the Sheriff's Department]

Cmr. Vasquez made a motion to approve item as submitted and Cmr. Gutierrez seconded the motion. All voted "Aye" in favor. Motion carried 5 to 0.

- k. ACTION TO ENTER INTO AN ARCHITECTURAL CONTRACT WITH FRANK ARCHITECTS, INC., FOR THE EXPANSION OF THE JUSTICE OF THE PEACE OFFICE PRECINCT 2, AT A COST OF TEN PERCENT (10%) OF THE ESTIMATED CONSTRUCTION COST, INCLUDING STRUCTURAL ENGINEER, MECHANICAL ENGINEER, ELECTRICAL ENGINEER, AND PLUMBING ENGINEER, WITH THE COUNTY TO PROVIDE FOR CIVIL ENGINEERING SERVICES TO BE COORDINATED WITH THE ARCHITECT AND AUTHORIZING THE COUNTY JUDGE TO SIGN ALL RELEVANT DOCUMENTS.**

Cmr. Vasquez made a motion to approve item as submitted and Cmr. Gutierrez seconded the motion. All voted "Aye" in favor. Motion carried 5 to 0.

- l. ACTION TO ENTER INTO A CONSTRUCTION CONTRACT WITH CG CONSTRUCTION INC., FOR THE CONSTRUCTION OF THE BRUNI COMMUNITY CENTER IN THE AMOUNT OF THREE HUNDRED FIFTEEN THOUSAND THREE HUNDRED EIGHT DOLLARS AND SEVENTY-ONE CENTS (315,308.71) BEING THE BASE BID WITH ALTERNATE NUMBER 1**

**(Replacing brick veneer with limestone block) AND
AUTHORIZING THE COUNTY JUDGE TO SIGN ALL
DOCUMENTS.**

Cmr. Vasquez made a motion to approve item as submitted and Cmr. Gutierrez seconded the motion. All voted "Aye" in favor. Motion carried 5 to 0.

11:28 Cmr. Gutierrez made a motion to go into Executive Session and Cmr. Vasquez seconded the motion with all voting "Aye" in favor. Motion carried 5 to 0.

12:15 Court returned to regular session and Judge Martinez stated that no action was taken in Executive Session.

- m. ACTION REGARDING CAUSE NO. 2002-CVQ-001149-D2; JORGE LUIS SANCHEZ v. WEBB COUNTY; IN THE 111TH JUDICIAL DISTRICT COURT OF WEBB COUNTY, TEXAS. (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code, Consultation with Attorney)**

County Attorney Homero Ramirez, asked the Court for direction on this item to attempt settlement or continue with the case.

A motion was made by Cmr. Gutierrez to continue with the case and Cmr. Vasquez seconded the motion. All voted "Aye" in favor. Motion carried 5 to 0.

- n. ACTION REGARDING RECOMMENDATION OF WEBB COUNTY GRIEVANCE COMMITTEE REGARDING GRIEVANCE FILED BY EDILBERTO LOPEZ AND RELATED EMPLOYMENT MATTERS.**

**(Executive Session is requested pursuant to Title 5,
Subchapter D, Section 551.071 of the Texas Government
Code, Consultation with Attorney)**

Cmr. Vasquez made a motion to uphold the decision to terminate Mr. Lopez. Judge Martinez seconded the motion to support the department head's decision. All voting "Aye" in favor. Motion carried 5 to 0.

Judge Martinez asked Cmr. Gutierrez to choose nine (9) more names for the Salary Grievance Committee to make a total of ten (10) names that were chosen during this meeting. (List includes name chosen previously)

- | | |
|---|---|
| 1. Sylvia S Medrano
1106 O'Kane
Laredo, Texas 78041 | 6. Gerardo E. Perez
P. O. Box 21
Mirando, Texas 78369 |
| 2. George J Garcia
1418 Longhorn
Mirando, Texas 78369 | 7. Reymundo S. Martinez
1710 ½ Lyon St.
Laredo, Texas 78040 |
| 3. Jorge Pineda
9555 Ashton St.
Laredo, Texas 78045 | 8. Amparo Adela Rendon
300 E. Mann Rd. Apt. 227
Laredo, Texas 78041 |
| 4. Veronica Lee Reyes
216 Camelia Dr.
Laredo, Texas 78041 | 9. Luis Seibert
4815 Westside
Laredo, Texas 78041 |
| 5. Jeanette Mckeown
107 Sunset Dr.
Laredo, Texas 78041 | 10. Eduardo Enrique Canales
120 Clubview
Laredo, Texas 78041 |

**THE COMMISSIONERS COURT MAY MEET IN
CLOSED SESSION PURSUANT TO TEXAS OPEN
MEETINGS ACT §551.071 (consultation with attorney),
551.072 (deliberation regarding real property), §551.074
personnel matters) and §551.075 (consultation with
employees), ON ALL MATTERS DEEMED NECESSARY
BY THE COMMISSIONERS COURT.**

**PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS
MEETING AND WHO MAY NEED AUXILIARY AID OF SERVICE
SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR
HEARING IMPAIRED, READERS, OR NEED LARGE PRINT ARE
REQUESTED TO CONTACT THE COURT ADMINISTRATOR AT
(956) 523-4620.**

ADJOURNMENT

Cmr. Gutierrez motioned to adjourn and Cmr. Velasquez
seconded the motion. All voted “Aye” in favor.
Motion carried 3 to 0. Cmr. Vasquez and Cmr. Urdiales not
being present at the time.

